Arlington Zoning Board of Appeals

Date: Thursday, January 12, 2023
Time: 7:30 PM
Location: Conducted by remote participation
Additional Details:

Agenda Items

Administrative Items

1. **Remote Participation Details**

   In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20relating to the COVID-19 emergency, the Arlington Zoning Board of Appeals meetings shall be physically closed to the public to avoid group congregation until further notice. The meeting shall instead be held virtually using Zoom.
   Please read Governor Baker's Executive Order Suspending Certain Provision of Open Meeting Law for more information regarding virtual public hearings and meetings:https://www.mass.gov/doc/open-meeting-law-order-march-12-2020/download

   Rick Vallarelli is inviting you to a scheduled Zoom meeting.
   Topic: Zoning Board of Appeals
   Time: Jan 12, 2023 07:30 PM Eastern Time (US and Canada)
   Join Zoom Meeting
   https://town-arlington-ma-us.zoom.us/j/87800343667
   Meeting ID: 878 0034 3667
   One tap mobile
   +16469313860,,87800343667# US
   +16468769923,,87800343667# US (New York)
   Dial by your location
   - +1 646 931 3860 US
   - +1 646 876 9923 US (New York)
   - +1 305 224 1968 US
   - +1 309 205 3325 US
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   - +1 301 715 8592 US (Washington DC)
   - +1 408 638 0968 US (San Jose)
   - +1 507 473 4847 US
   - +1 564 217 2000 US
   - +1 669 444 9171 US
   - +1 669 900 6833 US (San Jose)
   - +1 689 278 1000 US

+1 719 359 4580 US
+1 253 205 0468 US
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 360 209 5623 US
+1 386 347 5053 US
Meeting ID: 878 0034 3667
Find your local number: https://town-arlington-ma-us.zoom.us/u/kduAsbpLQz

Comprehensive Permits

2. **Docket # 3719: 1021-1025 Massachusetts Avenue**

Meeting Adjourn

Town of Arlington, Massachusetts

Remote Participation Details

Summary:
In accordance with the Governor’s Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20relating to the COVID-19 emergency, the Arlington Zoning Board of Appeals meetings shall be physically closed to the public to avoid group congregation until further notice. The meeting shall instead be held virtually using Zoom.
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Find your local number: https://town-arlington-ma-us.zoom.us/u/kduAsbpLQz

Docket # 3719: 1021-1025 Massachusetts Avenue

ATTACHMENTS:

	Type	File Name	Description
🗋	Reference Material	1025_Mass_Ave-Letter1_(2023-01-06).pdf	1025 Mass Ave-Letter1 (2023-01-06)
🗋	Reference Material	DSeltzer_email_010723.pdf	DSeltzer email 010723
🗋	Reference Material	1021-1025_Mass_Ave._Preliminary_Report.pdf	1021-1025 Mass Ave. Preliminary Report
🗋	Reference Material	XPretzer_email_123022.pdf	XPretzer email 123022
🗋	Reference Material	Mmaggiore_email_010323.pdf	Mmaggiore email 010323
🗋	Reference Material	DSA_Initial_Memo_22_1220.pdf	DSA Initial Memo 22_1220

TETRA TECH

January 6, 2023

Mr. Christian Klein, Chairperson
Arlington Zoning Board of Appeals
23 Maple Street
Arlington, MA 02476

Re: Tetra Tech Comment Letter 1
Comprehensive Permit (40B) Peer Review
1021-1025 Mass Ave
Arlington, Massachusetts

Dear Mr. Chairman:

Tetra Tech (TT) has reviewed the most recent submittal materials for the above-referenced Project to assist the Town of Arlington Zoning Board of Appeals (ZBA) in its Comprehensive Permit review.

Our review is based on materials available on the ZBA's online 40B document file sharing site including the specific documents listed below.

- A plan set titled "Comprehensive Permit Plan Set" for 1021 & 1025 Massachusetts Avenue (Site Plans), dated September 19, 2022, prepared by Patriot Engineering (Patriot)
- A "Site Utility Plan, Sheet 5 of 7" for 1021 & 1025 Massachusetts Avenue (Utility Plan), dated September 19, 2022, prepared by Patriot
- A Photometric Plan dated September 14, 20222.
- Conceptual Architectural Plans for 1021-1025 Massachusetts Avenue, Arlington MA dated September 19, 2022, prepared by Harrison Mulhern Architects (HM).
- A set of landscape plans (Sheets L1-L7) for 1021-1025 Massachusetts Avenue, Arlington MA dated September 8, 2022, prepared by Kyle Zick Landscape Architects, Inc. (KZLA).
- An "Impact Analysis of the Natural and Built Environment" for 1021-1025 Massachusetts Avenue dated September 15, 2022, prepared by LEC Environmental Consultants., Inc. (LEC).
- A "Transportation Impact Assessment" for Proposed Residential Development, 1021 & 1025 Massachusetts Avenue, Arlington, Massachusetts dated June 2022, prepared by Vanasse Associates Inc. (VAI).
- A "Bylaw Notice of Intent Application" for the 1021 and 1025 Massachusetts Avenue subject property dated September 16, 2022, prepared by LEC.
- A set of consolidated comments from Town Departments compiled by the Arlington Department of Planning and Community Development and issued under memorandum dated November 27, 2022, from Assistant Director, Kelly Lynema. Department and public comments were reviewed but do not form the basis of any of our comments or opinions. Those expressed in the this letter are wholly and exclusively ours and are not intended to represent the opinions of others.

The plans and supporting documentation were very well organized, clearly presented and included most of the information needed to inform this phase of review. We have compiled the following list of comments that in our opinion should be addressed by the applicant before the Board considers issuing a decision. Each item will be tracked to its closure as it is addressed by the applicant and closed out with either a clarification or a permit condition. The comments are organized by submittal document and the more significant comments are summarized below.

Infrastructure Northeast
100 Nickerson Road, Marlborough, MA 01752
Tel 508.786.2200 Fax 508.786.2201 tetratech.com

Key Comments

The proposed building occupies nearly the entire parcel footprint along its frontage with Massachusetts Avenue leaving very little space east and west of the building to (1) manage and execute construction, (2) provide emergency access or (3) mitigate impacts to abutting parcels. While there may be solutions to these concerns, they are not readily apparent and warrant clarification from the applicant. The following are our most critical concerns each of which is addressed in more detail under the numbered comments sections.

- **Constructability** – It is unclear how the work will be constructed on such a constrained site at the density and layout proposed. While the rear of the site could provide some useable space it is extremely limited, is encumbered by trees that are proposed to remain and lacks means of access from a public way during building construction. In our opinion there does not appear to be adequate space to accommodate basic construction activities safely and without impacting or relying on abutting property or the public way.
- **Emergency Access** – Once constructed, the proposed building effectively precludes access to the balance of the site from Massachusetts Avenue since there is not enough space between the building and the property line to accommodate an emergency vehicle. The adjacent parking area on the property to the north provides a logical surrogate but it is unclear if the Project has secured any rights of access or that emergency vehicles can navigate reliably in/out using that property. In our opinion without the use of the abutting property the site appears to lack adequate access for emergency vehicles. Please note, in all cases we defer to your Fire and Police Departments for final determinations as to the sufficiency of access.
- **Stormwater Design Basis** – The site has some special runoff conditions that have not been addressed in the current documentation. Most notably, almost all site runoff flows across an off-locus parking lot on its way to Mill Brook and does so without any clearly defined flow path or drainage infrastructure. The Project will need to demonstrate how runoff from the developed site will be conveyed safely across the abutting property. In addition, existing site runoff is detained in wooded depressions at the rear of the site which we expect significantly reduces predevelopment runoff. At present, these depressions have not been included in the stormwater analysis and will likely require modification to the stormwater design.

The following are our specific comments for consideration by the Board. The comments are organized by submittal, and we recommend the Board request responses for each from the applicant.

Comments

Preliminary Site Development Plans (Tab 06)

The Site Development Plans were well organized and readable and include most of the information needed to conduct our review. The following are comments on each sheet included in the set.

Cover Sheet

1. Site Plans typically include a “Layout and Materials Plan” which clearly describes proposed surface treatments and critical dimensions and is usually the plan most referred to during review. It would be helpful to have a similar plan included with the set which ideally also shows the proposed parking layout within the building as well as proposed setbacks and dimensional/lot coverage summaries. One is

provided with the landscape plans which could ideally be consolidated with the site development plans into a single coordinated set.

Existing Conditions Plan

2. The site includes some special topographic conditions and very close abutters. We recommend the applicant provide contours at 1-foot intervals and that contours extend at least 4 feet past the property line to help understand how grading along the property line will be influenced by the Project.
3. Please confirm test pit information was provided by a licensed soil evaluator and provide license number if available. Please note, test pit information conflicts with that shown on the Site Demolition Plan
4. It would be helpful to include a datum reference comparing the Town of Arlington datum to the vertical datum used on the plan (NAVD88).
5. Clearly define the shape and spillover elevation of the existing depressions which currently exist in the wooded area at the rear of the property.
6. Show structures on abutting properties on all plans.
7. Include lane markings for Massachusetts Avenue.

Site Demolition Plan

8. It appears the Project intends to save trees at the rear of the property. Although certainly commendable it appears several may be negatively impacted by proposed grading or will otherwise limit area likely needed to support construction. We recommend the applicant consider the area needed to support construction and revise the tree removal limits accordingly.
9. Does the Project anticipate installation of a temporary construction fence? If so, please show its location and gates on the demolition plan along with any proposed gates.
10. The plan shows a proposed construction entrance pad at the southeast corner of the site. However, the pad appears to extend into the proposed building footprint. Please clarify if this entrance is only to be used during demolition and if so where the entrance will be located during the balance of construction.
11. Provide contour labels.
12. Correct test pit information as needed to address inconsistency with information on the Existing Conditions Plan.
13. Is the existing fence between the subject property and 1033 Mass Ave proposed to remain or will it be removed? In either case, please note its treatment on the demolition plan
14. Please show anticipated sawcut/excavation limits for work within the public right of way. A sawcut line is include landscape plans but does not consider proposed utility connections.

Grading and Drainage Plan

15. Proposed grading along the boundary with 1017 Mass. Ave creates a dam condition that channels flow but does not show how the resulting discharge is managed nor demonstrates that the flow interruption will not negatively impact the abutting property. We request the applicant explain how drainage along that boundary will be addressed so as not to negatively impact the abutting property.

16. Similarly, proposed grading along the boundary with 1033 Mass. Ave appears to direct site runoff from the Project toward that property when just the opposite occurs under current conditions. Applicant should address how runoff patterns will be maintained permanently and during construction to prevent negative impacts on abutting properties.
17. The proposed garage entrance is aligned in a manner that forces vehicles to drive over an existing catchbasin. We recommend either the entrance be shifted slightly, or the catchbasin be relocated to keep it out of the path of vehicles accessing the garage.
18. The plan suggests the catchbasin rim may be adjusted to accommodate the driveway but any changes to the catchbasin rim will impact gutter slope and roadway cross-slope of Mass Avenue. The entrance should be designed to maintain the existing grading of Mass Ave or otherwise plans should show the extent of change to Mass Ave.
19. The proposed infiltration system is almost 10 feet higher than grade. Please describe how the Project intends to address potential hydrostatic loading of the wall by the infiltration system and how weeping through the wall will be avoided.
20. The infiltration system relies on the soils beneath it to be protected from compaction to maintain its ability to infiltrate water as represented in the design. Given the proposed infiltration system is the only unoccupied area available for construction staging, please describe how the soils below the system will be protected from compaction during construction.
21. Please quantify the volume of excavation and disposal required to construct the proposed building foundation and describe how excess material will be managed and removed from the site.
22. Its unclear how runoff from the site will be discharged onto the abutting property and how that flow will be conveyed across the paved surface to the stream. Please clarify how the discharge will be managed so that flow will be safely and reliably conveyed from the site to the stream. Include any channel or spillway details and threshold elevation on the plan.
23. Proposed grading appears to exceed maximum allowable slopes for accessible routes. Please clarify which site amenities are accessible and identify any required accessible routes.

Site Utility Plan

24. This plan is similar if not the same as that included under Tab 11. Recommend it continue to be provided as part of this plan set exclusively to avoid any confusion and reduce document production.
25. Please provide inverts of the existing sewer and proposed site discharge to confirm required minimum slopes can be met using gravity infrastructure and that main line flow is not impacted by flow from the site due to excessive drops.
26. Will electric service come from underground lines in the street or from a drop off existing overhead lines?
27. Although we expect public water and sewer infrastructure would have adequate capacity to serve the Project, the Project represents an increase in demand on municipal water and sewer infrastructure above the current use and is likely much larger than would have been forecasted during original design of municipal services since it is so much larger than otherwise allowed under zoning. We recommend the applicant provide a simple memorandum or similar documentation by a licensed Massachusetts engineer demonstrating the Project can be served adequately without impacts to existing or proposed infrastructure or its users. At a minimum the documentation should describe and quantify proposed

demand, describe existing infrastructure serving the site, provide calculations demonstrating available capacity/service and describing improvements, if any, needed to town infrastructure to serve the Project. If offsite infrastructure improvements are required to serve the Project, please note them clearly in the memorandum. Documentation is requested as factual basis on which the Board can rely in determining the Project can be safely served by local infrastructure. It is not intended to suggest issues may exist.

28. Please describe how/if the Project plans to address Inflow/Infiltration removal requirements for new or expanded sewer connections.

Site Details II

29. The details for the underground infiltration system seem to show conflicting information. System section indicates the chambers will be 45" tall but are 57" per elevations provided in the plan view above. Please clarify and confirm the model uses the same dimensions shown on the details.
30. The sheet includes a detail for a chain link fence and no other fence detail is provided. Is it the intent to install chain link fence at the locations noted on the Grading and Drainage Plan?

Lighting Photometric Plan (Tab 07)

31. The plan indicates several wall packs will be installed along the western building face and appear to spill light onto the abutting property creating a potential adverse impact on the lower-level windows of the abutting property. At a minimum the lighting plan should be modified to eliminate any light spill onto abutting parcels.
32. Is the intent of these lights to provide a lit path from the street to the rear of the site. If so, please explain how the lights will be controlled and the expected times they will be lit.
33. The Photometric Plan was difficult to read. Please provide an electronic version that is clearer and with readable light levels.
34. No lighting is shown for the common courtyard proposed on level 2. Please include on the plan and explain how/if this area will be lit and its anticipated hours of operation.

Conceptual Architectural Plans (Tab 09)

The following comments are offered on civil-related items. We defer to the Town's architectural peer reviewer for all other architectural design comments.

35. The parking layout provided does not show the anticipated location of structural columns that have the potential to limit, if not preclude, use of certain spaces. Please indicate where columns are anticipated.
36. The layout does not include provision for accessible spaces. Please indicate what spaces are intended as accessible and include required loading areas and signage.
37. Does the Project anticipate providing charging stations for electric vehicles? If so, please note those spaces on the plan so charging station and electric vehicle locations are known in case of fire.
38. The parking layout does not provide backing space for vehicles parked at the end of aisles. Typically, an area approx. 5' deep is provided so vehicles exiting those end spaces have an area to maneuver when exiting. If no backing area is provided, we recommend those spaces be dedicated for compact vehicles.

39. The architectural plans do not include reference or any specific accommodation for the "Green Roof" described in the environmental impact analysis and draft wetland application. If a green roof is proposed, it should be shown on the architectural plans.
40. The parking layout indicates "Hanging Bike Racks" at many of the parking space locations. Please provided dimensions of the proposed parking spaces and describe how/if the hanging bike storage will restrict use of any of the parking space.
41. The plans do not indicate location of mechanical equipment (air handlers, air conditioners, etc) and no space appears to be allocated or available on the site. Please confirm all exterior mechanical equipment will be located on the roof and show where it will likely be placed.
42. Provide a description of how excavation for the basement level will be accomplished without impacting adjacent property or the public way.

Utility Plan (Tab 11)

43. This plan is essentially a duplicate of a similar plan included under Tab 06. No additional comments. Suggest this plan be removed as a standalone drawing to avoid confusion with similar plan at Tab 06.

Landscape Plans L1-L7 (Tab 12)

44. Landscape Plans include duplicate or conflicting information with that included in the Preliminary Site Development Plans. We recommend the Landscape Plans be coordinated and included with the Site Plans and any duplicate content be removed.
45. The Plans indicate several trees at the rear of the property will be maintained. Given the lack of available space on site to support construction and the extent of anticipated grading within that area protection of those trees does not appear possible. Please confirm if the project intends to protect those trees and if so, how it plans to accomplish its work with them in place.
46. The Planting Plan indicates several new trees will be planted in the northern portion of the site. Please confirm if the Planting Plan contemplates infilling among the existing trees. If infill, please distinguish between trees designated to remain in place and those intended to be removed. Suggest any trees scheduled to be removed not be shown on the Planting Plan.
47. Grades shown on the walkway appear to exceed the maximum allowed for accessible paths. Please confirm if the outdoor amenity space is intended to be accessible and if so, confirm the grading meets accessible standards.
48. Please indicate which side of the Screen Fence will face the abutter.

LEC Impact Analysis of the Natural and Built Environment (Tab 15)

49. The analysis indicates there are no stormwater measures to attenuate peak flows form the existing site. Although there are no measures that appear to be specifically built with that intention, there appear to be two large natural depressions in the rear of the property that we expect provide substantial peak flow mitigation and infiltration. Additional related comments are included in later section related to stormwater.
50. The depressions have not been included in the analysis of pre-development conditions and as such any representation that the proposed stormwater design meets performance standards is premature in our

opinion. However, we do expect the standards can be met with design changes but recommend those changes be included in any plans approved by the Board.

51. We agree with methodology used to document the location of Mill Brook and the corresponding Riverfront Area and have no reason to believe an approved delineation would vary significantly from that shown on the plans.

52. We agree that the onsite state-regulated resource areas are limited to Riverfront Area.

Stormwater Management Report (Tab 15)

The analysis underlying the Stormwater Report includes some errors/omission which when addressed are likely to change the results. As such any representation that the Project has met peak rate attenuation requirements is premature. Our specific comments are listed below.

53. The analysis does not consider the existing wooded depressions in its pre-development runoff calculations. The depressions appear to provide significant mitigation of site runoff and excluding them from the analysis may significantly over-estimate pre-development runoff. We recommend the depressions be clearly shown on the existing conditions plans and incorporated into the pre-development runoff model and that post-development mitigation be modified accordingly.

54. Similarly, the model does not include the post-development depression to which the infiltration system discharges nor describes how flow leaves the site. Please update the model to include the proposed depression and its anticipated outlet configuration.

55. The model should also account for runoff originating off locus such as that flowing through the site from properties east and west.

56. The stormwater model includes a significant lag between peak runoff from at grade portions of the site and peak runoff from the roof/infiltration system which appears to be a bit counter-intuitive given runoff from the roof would be expected to be much faster than runoff from the site. The lag creates a gap between the two peak discharges resulting in a significant benefit to the Project's post-development peak discharge rate. We request the applicant explain the lag and provide analysis results demonstrating how it was calculated.

57. The drainage report uses 6-minute time of concentration (Tc) for all model scenarios which doesn't accurately distinguish between runoff patterns. We understand Hydrocad model instructions recommend a 6 min. minimum Tc but would appreciate a justification for Tc used in the analysis.

58. The model does not include any description or consideration for the specific method of discharge from the site but rather aggregates all flows leaving the site. The work will certainly result in modification of drainage patterns to the adjacent parking lot given the changes to grading and distribution of stormwater along the property boundary. Analysis should include clearly defined outlet conditions showing how flow leaves the site and crosses the abutting property under each storm.

59. There appears to be no stormwater collection system serving the adjacent parking lot. As such all flow leaving the site will travel across a parking lot potentially creating an unsafe condition. We recommend the applicant clearly describe how flow leaving their site will traverse the neighboring parking lot and confirm the abutter accepts those changes.

60. The analysis does not appear to take credit for any mitigation due to implementation of a green roof as described in the LEC reports/applications. As such, stormwater performance represented in the analysis should not be impacted if the green roof was not constructed. We would still appreciate clarification of the project's intentions and commitment to installing and maintaining a green roof.

Transportation Impact Assessment (Tab 16)

The TIAS has generally been prepared in accordance with industry standards. We agree with the methodology used to estimate traffic volume and its distribution and consider added volume from the Project is relatively small and generally insignificant in comparison to current roadway volumes. The following comments address our non-capacity related issues.

61. Town guidelines recommend traffic studies include intersections within 1,000 feet of the development site. The traffic study did not include all intersections within 1,000 feet. However, additional intersection capacity analyses beyond those evaluated in the traffic study is not warranted since Project traffic is less than 2% of existing volume. Such a nominal increase is not anticipated to materially change peak hour levels of service at intersections not included in the study.
62. The building program shown in the traffic study varies slightly from that shown on architectural plans and site plans. The discrepancies are not considered material but should be addressed in future submittals to the extent possible.
63. The traffic study indicates that nine surface parking spaces are proposed in the rear of the site. However, the site plan does not show any surface parking on the site. Please confirm proposed parking layout and supply.
64. The traffic study included a crash analysis of the study intersections. However, crash data for the Massachusetts Avenue/Menotomy Road intersection and the crash rate calculations for all study intersections were not included in the Appendix. Please provide.
65. No documentation is provided to support the proposed parking space to unit ratio. We recommend the Board request the applicant to provide a simple justification for the ratio proposed.
66. Based on the site plan, emergency vehicle access will be limited to the front (Massachusetts Avenue) side of the building. Tetra Tech recommends that the Applicant describe anticipated emergency vehicle access at the site and explore the feasibility of expanding emergency vehicle access to the sides and rear of the property. The Applicant should review the site plan with the Arlington Fire Department to ensure accommodations provided are acceptable to the Fire Department.
67. It's unclear how delivery/trash pickup/moving trucks will be accommodated. We recommend the Board request the applicant describe how these activities will be accommodated and provide AutoTurn analysis, if needed, to confirm services/vehicles can circulate without impeding on-street parking, bicycle lane operations or site access/circulation.
68. We agree with the TIAS's suggested site access improvements to provide a Stop bar and sign at the site driveway approach to Massachusetts Avenue. Tetra Tech recommends that all proposed traffic signage and pavement markings for the project be MUTCD-compliant.
69. The traffic study assumed 20% of residents will use non-vehicle modes of travel to/from the site. Based largely on its MBTA access and the bus stop on the north side of Massachusetts Avenue. We

recommend the Applicant coordinate with the Town and the MBTA to evaluate the feasibility and appropriateness of providing a bus shelter to encourage transit usage to/from the site.

70. The Applicant commits to providing bike storage based on the architectural plans. The proposed bike rack locations should be shown on the site plans. Tetra Tech recommends that the Applicant consider providing a mix of indoor, secured long-term bike parking for residents and outdoor, short-term bike parking for guests and retail customers. The bike mitigation should be developed in accordance with the Town's Bicycle Parking Guidelines.
71. The traffic study indicates that adequate ISD would be provided at the proposed site driveway on Massachusetts Avenue. However, the available ISD would be restricted when taking on-street parking into account. Tetra Tech recommends that the Applicant work with the Town to evaluate the feasibility of providing a painted buffer (on-street parking restriction) between the proposed driveway and the beginning of on-street parking to the south of the driveway to enhance sight lines.
72. As part of the project, a new driveway will be constructed for vehicles entering/exiting the proposed covered parking area. This new driveway will be located within approximately 15 feet of the existing bus lane. The minimum length for an on-street parking space (end space) is 20 feet. Therefore, Tetra Tech recommends the Applicant prepare a restriping plan to extend the end of the bus lane or provide hatched pavement markings to provide a no parking zone between the bus lane and the proposed driveway, subject to Town review and approval. The plan should also show the proposed restriping for the on-street parking to the south of the driveway.
73. Approximately 425 feet south of the site, a midblock crossing is provided across Massachusetts Avenue. Tetra Tech recommends that the Applicant assess conditions at this location (i.e., pavement striping, wheelchair ramp design, crosswalk width and pavement markings, traffic control, sight lines, etc.) and determine if any improvements are warranted to enhance safety.
74. We recommend the Applicant describe anticipated delivery and moving truck operations and confirm that these services/vehicles can be adequately accommodated on-site without impeding site access, circulation and/or parking.

LEC Bylaw Notice of Intent Application (Tab 19)

75. The Arlington Conservation Commission maintains its review responsibility under the state wetlands regulations (310 CMR 10) which includes strict performance standards for work within Riverfront Area and compliance with Massachusetts Stormwater Management Standards and Handbook. Given the Commission maintains review responsibility under state regulations we recommend the Applicant request, and the Board consider, waiving filing requirements under the local bylaw to avoid the Board having to conduct a parallel review with the Commission. If the Commission is concerned that waiving the local bylaw removes a needed control, they can request the Board include it as a condition in their decision.
76. The application asserts no work is proposed within an Adjacent Upland Resource Area however it is our understanding the Adjacent Upland Resource Area associated with the Mill Brook Bank would extend into the site (generally coincides with the 0-100' riparian zone) and work is proposed within that area.
77. The proposed construction period stormwater control measures are relatively sparse and include a single line of staked compost filter tube, a single catch basin filter and a proposed construction entrance that can logically only serve the demolition phase of the project given it is shown in a location within the proposed building footprint and in an area of deeper excavation needed to construct the basement level. In our

opinion the proposed measures shown will not be sufficient to prevent sediment from leaving the site. We recommend the Board request the applicant to describe how it plans to execute construction and how proposed erosion control measures will be modified to serve each phase of construction. For example, we see no way the Project can be constructed using exclusively the entrance shown on the plans and that a rear entrance is likely required. We expect the rear of the site will be the most heavily used during construction given the lack of any available space between the building, the abutting properties, and the street yet no accommodations are shown at the rear of the site to manage construction traffic, soil stockpiles or construction parking/laydown. Without careful planning of construction activity and robust erosion and sedimentation controls there is a significant potential for impact to Mill Brook.

These comments are offered as guides for use during the Town's review and additional comments are likely to be generated as additional or revised documentation is submitted. If you have any questions or comments, please feel free to contact me at (508) 786-2230.

Very truly yours,

Sean P. Reardon, P.E.
Vice President

P:\472184\143-472184-23001\DOCS\1025 MASS AVE-LETTER1 (2023-01-06).DOCX

From: **Don Seltzer** <timoneer@gmail.com>
Date: Sat, Jan 7, 2023, 2:10 PM
Subject: 1021 -1025 Mass Ave Comprehensive Permit comments
To: Christian Klein <cmqklein.alist@gmail.com>, Zoning Board of Appeals <zba@town.arlington.ma.us>

To: Zoning Board of Appeals

Comments on 1021 Mass Ave

Much of the public concern for this project pertains to the massive size of the proposed building, out of keeping with the scale of the neighborhood and contrary to the stated intent of a B1 district as specified in our zoning bylaw.

*** B1: Neighborhood Office District. In the Neighborhood Office District, the predominant uses include one- and two-family dwellings, houses with offices on the ground floor, or office structures which are in keeping with the scale of adjacent houses. Primarily located on or adjacent to Massachusetts Avenue, this district is intended to encourage preservation of small-scale structures to provide contrast and set off the higher-density, more active areas along the Avenue. Mixed-use buildings without retail space are allowed in this district. The Town discourages uses that would detract from the desired low level of activity, consume large amounts of land, or otherwise interfere with the intent of this Bylaw.**

When the mixed use bylaw amendment was passed in 2016, one of the safeguards implemented was a very modest requirement that there be a 7.5’ upper story step-back beginning at the fourth floor. The Redevelopment Board explained the reason behind this requirement to Town Meeting thusly,

“To alleviate some of your street pressure from these [increased building] heights we're also proposing that any building in excess of three stories in height has a step-back of 7 feet six inches above the third story above all elevations with street frontage. …. What this does is it reduces the massing impact on people utilizing the street, people utilizing the sidewalk. It makes buildings feel smaller than they actually are. … it gives the people who live here in town security that what's going to be built isn't going to be some monolithic monstrosity…”

The applicant is apparently unaware of this part of our ZBL. They have proposed a building with no fourth floor step backs, and have not requested a waiver of 5.3.17

It is not just Mass Ave that is adversely affected by the scale of this structure. If the applicant were to submit an elevation view of the abutting residential buildings on Brattle St, it would be clear how these residents would be negatively impacted. Brattle St descends from Mass Ave, and some of these homes sit ten feet lower. The proposed structure would loom more than 70’ over them.

There is actually one simple change to the design that will provide significant relief to the existing Brattle St residents. The proposed building could be mirror flipped, from left to right. This would shift the five story section and much of the upper story bulk away from Brattle St.

Several questions arise from the outdated materials included in the submitted packet.

Evidence of Site Control: The document submitted is a July 2021 Purchase & Sale agreement for the two properties involved. The closing date was set for last August. There is no record in the Registry of Deeds that these sales have been completed.

The P&S agreements do have a provision for extending the Closing Date up to 180 days, and that deadline will soon run out. The applicant should provide this Board with updated documentation that establishes future site control.

Financial materials and Pro Forma analysis: The packet includes a Letter of Interest from Cambridge Savings Bank, projecting a 3 year construction loan for 75% of the construction cost. The interest rate would be set at the WSJ Prime Rate plus .75%. At the time of this offer, that rate would have been 4.25%.

The accompanying Pro Forma appears to have some inconsistencies. The total building cost is estimated at $32,350,769. A construction loan for 75% of this cost, at 4.25%, would incur an annual interest cost of $1,031,182, very close to the Pro forma estimate of $1,050,000. But that is for a single year, not the implied three year term of the loan. Does the applicant expect to pay off the loan in a single year, or is the amount to be borrowed for construction only about $11,000,000?

The other obvious point to be made is that interest rates have soared since last March. As of this week, the terms of the construction loan would be for an interest rate of 8.25%.

The total interest cost of a construction loan for 75% of the project cost would be more than $6,000,000 over the three year life of the loan, rendering the project financially unfeasible.

Could the applicant clear up this discrepancy with the $1M loan cost used in the Pro forma?

Don Seltzer

January 7, 2023

DAVIS SQUARE ARCHITECTS

240A Elm Street
Somerville, MA 02144
617.628.5700, tel
davissquarearchitects.com

Clifford J. Boehmer, AIA
Ross A. Speer, AIA
Iric L. Rex, AIA

Claire V. Ricker, AICP
Director of Planning and Community Development
TOWN OF ARLINGTON MASSACHUSETTS
730 Massachusetts Avenue
Arlington, MA 02476
cricker@town.arlington.ma.us

RE: 1021-1025 Massachusetts Avenue
Preliminary Architectural Peer Review Report

Dear Claire:

I'm writing to provide you with a preliminary review of the proposed 40B development at 1021-1025 Mass Avenue. I expect to discuss the project with the ZBA as soon as their virtual hearing on January 12, 2023 (my understanding is that this date is subject to change). As is typical at this stage of a project, the drawings are very schematic, which puts limitations on the depth of analysis that I'm able to perform. This means that my primary focus at this point is on site planning and overall massing issues, as going into great detail on a building design that may change may not make sense. However, as you will see, I do have a few suggestions for the plans that would modify its footprint (and thereby impact the site plan), or are related to other potential internal issues that should be addressed.

In the spirit of getting information to you and the development team as quickly as possible, this is a somewhat abbreviated report that will be supplemented as the design progresses.

Prior to this letter, on December 20, 2022, I sent you and Christian Klein a memo that requested additional documentation from the Applicant (see list below). As of the date of this letter, none of the items have been received.

This review follows the format of my fee proposal sent to you on November 6, 2022.

1. **Review of the Developer's Application, Plans, and Drawings. Review ,as appropriate, reports from other peer reviewers and Town officials, letters from neighboring residents, etc.**

Applicant's Documents reviewed (comments on documents contained in Section 5 below):

- Project Eligibility Letter for Residences at Mill Brook dated August 19, 2022.
- 1021 & 1025 Massachusetts Avenue drawing set prepared by Patriot Engineering dated September 19, 2022 (7 Sheets).
- 1021-1025 Massachusetts Avenue drawing set prepared by Harrison Mulhern Architects dated September 19, 2022 (13 Sheets).
- 1021-1025 Massachusetts Avenue drawing set prepared by Kyle Zick Landscape Architecture dated September 8, 2022 (7 Sheets).
- Proposed Lighting and Photometric Analysis (no legible date or reference to author).
- Letter to MAJ Investment, LLC from LEC Environmental Consultants, Inc. dated September 15, 2022.
- Transportation Impact Assessment prepared by Vanasse & Associates, Inc. dated June 2022.
- Various other documents included in the complete 40B submission package.

Documents requested in 12.20.22 DSA Memo:

- Provide a roof plan, including mechanical equipment, any required screening, solar arrays, etc.
- Modify building elevations so that include all rooftop equipment, penthouses, elevator overruns, etc.
- Coordinate renderings with building elevations (in particular, note differences in siding patterns depicted in elevations vs. renderings).
- Provide entry level plan that includes parking space and aisle dimensions, projected building column locations, designation of accessible spaces, designations of EV spaces, garage door width, etc.
- Provide shadow studies.
- Give peer reviewer(s) access to 3-D model to facilitate additional views of the project from the public realm and neighbors.
- Provide a trash management plan, preliminary construction management plan (CMP), preliminary building code review, tree preservation plan (including any details regarding impact of the development on trees on neighboring sites),
- Provide information regarding energy systems and efficiency (see CEFC comments

Town and Peer Review Reports:

- Memo to Arlington Select Board from Arlington Department of Planning and Community Development dated May 24, 2022 (includes attachments drafted by Conservation Commission and Department of Public Works).
- Letter to MassHousing from Select Board dated June 14, 2022.
- Memo to the Arlington Zoning Board of Appeals from the Department of Planning and Community Development dated November 27, 2022 (includes attachments drafted by Arlington Affordable Housing Trust, Conservation Commission, Arlington Tree Committee, TAC, Town Engineer).
- Memo to the Board of Appeals from Maria Morelli dated March 18, 2022.

Letters, emails, reports from citizenry of Arlington:

- Letter to Select Board from Patricia Barron dated September 6, 2022.
- Letter to MassHousing from Patricia Barron dated October 10, 2022.
- Letter to ZBA from Andrew Freeman (undated).
- Memo to ZBA from Jo Anne Preston (undated).
- Memo to ZBA from Carl Wagner (undated).
- Letter to the Redevelopment Board from Jennifer Susse (undated).
- Email to ZBA from Sarah Tuttle dated 16 November 2022.
- Email to ZBA from Stephen Blagden dated 16 November 2022.
- Email to ZBA from Alex Bagnall dated 14 November 2022.
- Email to ZBA from Jane Brunet dated 16 November 2022.
- Email to ZBA from Wynelle Evans dated 18 November 2022.
- Email to ZBA from James Fleming dated 12 November 2022.
- Email to ZBA from Laura Wiener dated 12 November 2022.
- Letter to ZBA from Cheryl Marceau (undated).

(REFERENCE MATERIALS)

- Chapter 40B Handbook for Zoning Boards of Appeal published by MHP in cooperation with DHCD, MassHousing, and MassDevelopment dated March 2017.
- Handbook: Approach to Chapter 40B Design Reviews, prepared by The Cecil Group, Inc. for DHCD, MassDevelopment, MassHousing, and MHP, January, 2011

2. Visit the site, with (or without) the developer's design team and a Representative of the Town.

A site visit occurred on December 21, 2022. It was attended by this reviewer, ZBA members, and members of the development team. The project architect was not present.

3. Conduct unaccompanied reconnaissance assessment of surrounding residential and nonresidential areas within 1/2 mile of the project site.

(This reviewer has reviewed the neighborhood. If deemed necessary, a written assessment will be provided in a supplemental letter.)

4. Consult with the Applicant's design team, as appropriate.

Additional materials have been requested from the Applicant in an initial memo dated 12.20.22.

5. Provide an oral presentation to the ZBA. Said presentation shall include comments and preliminary recommendations on the following:

Points from this report will likely be discussed at a ZBA hearing on January 12, 2023.

a. Orientation of building in relation to parking areas, open space, and on-site amenities.

All parking for residents is located at the entry level of the building, accessed from a garage door that faces Massachusetts Avenue. Parking spaces on the east side of the street-facing elevation are screened from view by a proposed 1700SF retail space, the resident entry, a trash room, other support spaces, and vertical circulation. The left half (west side) of the elevation includes the garage door, as well as seven, residential scale windows that face parking spaces or the trash room.

Other amenities and service spaces on the entry level include an office, one toilet room, a package and mail room, two elevators, and a tenant gym space. The basement space that is accessed by the elevators or the southern stairwell contains 53 storage cages, resident bike storage, as well as mechanical spaces noted as electric, water, and EMR.

A door adjacent to the northern stairwell provides access from the parking garage to an outdoor passive recreation space on the north side of the building. The landscape drawing indicates a five-foot wide stone dust path that accesses two benches. Seven salvaged logs are called out on the plan. The area of the north-side open space closest to the building is dedicated to stormwater management. It is a relatively flat area, approximately 50 feet by 80 feet (4000 SF) created by an L-shaped retaining wall system that ranges in height from 4 to 10.5 feet. Beneath this flat area is the proposed stormwater infiltration system.

There is a bituminous walkway connection to this north outdoor space from the sidewalk along Massachusetts Avenue along the west side of the building. This walkway could potentially serve as public access the open space, as well as providing an egress path for building residents who may exit the building out of the northern stairwell. Just before reaching the rear wall of the building, the path transitions from bituminous to stone dust.

In the setback between the front of the building and the Mass Avenue sidewalk there is an area paved in concrete pavers that presumably is dedicated to the commercial use. The plans indicate two tables and associated chairs. Also within the front setback is a transformer vault, a bike rack, the bituminous-paved entry into the parking garage, and some landscaping.

The architectural plans indicate usable outdoor space in a courtyard space located on the roof of part of the parking garage. Resident access to the courtyard from the common corridor on the second floor is provided, but there is also access to privatized areas of the courtyard from six of the second-floor dwellings. It is not clear from the drawing how the private patios are separated from the shared public patio. While there are some unit bedrooms that face the common patio, the architectural drawing suggests that there may be a planted buffer to ensure privacy. Common amenities on the patio appear to include tree planters, tables, chairs, and what may be grills.

There are two common roof decks indicated. The north deck is 298 SF, the street-facing deck is 575 SF.

b. Function, use and adequacy of open space and landscaped areas.

As noted above, there are four areas proposed for programmable outdoor space. There are some concerns/questions /suggestions associated with each of these areas, including:

North Yard

- Is the stone dust finish the best selection for long-term maintenance, snow and ice clearing, etc.?
- Slopes indicated along pathway may exceed 5%, which is the maximum mandated by ADA and the Massachusetts Architectural Access Board.
- The section of the stone dust walkway that connects to the rear egress should be bituminous or cement concrete to ensure that it is maintainable in all weather conditions.
- Planting plan may not be accurate, as it is likely that all existing trees will be removed to achieve grading as indicated on plans.
- This at-grade area does not include any active play spaces (it appears to be entirely dedicated to passive enjoyment). Given the unit mix that includes 42 bedrooms that are not "primary" (unit mix is 8@1-BR, 37@2-BR, and 5@3-BR), it is likely that numerous children will live in the building. Can the area above the infiltration system be utilized for a few pieces of play equipment?
- The 6-foot high "screen fence" along the northern bound of the north yard would preclude the possibility of access to the site from the adjacent parking lot. Is this a place that emergency responders may want to access the site (particularly given the minimal side setbacks to the east and west)?
- What is the material of the screen fence (gate is noted as wood, but there is no indication of typical fence material)?
- A gate with a panic bar is indicated in the screen fence at the northwestern corner of the building. Is the public invited to use the open space, or is access limited to the building residents?
- What is the purpose of the "salvaged logs"?
- Lighting plan does not appear to indicate any fixtures in the rear yard seating area.
- There do not appear to be any submitted documents that describe materiality or details of proposed retaining walls. This is important both from and aesthetic perspective and for performance concerns (for example, are they properly designed to withstand hydrostatic forces and horizontal breakout from infiltration system?).
- Where is chain link fence proposed (landscape drawings indicate 6-foot board fence, civil chain link with undefined height).

South Patio

- It is this reviewer's opinion that the setback from the street and sidewalk is insufficient from several perspectives. First, an increased setback would provide more patio space that could be devoted to the commercial space, or potentially for a resident waiting area (school bus, Uber pick up, etc.). Currently, the entry level plans do not indicate an interior space suitable for this function. Potentially this front patio area could be enlarged to a size suitable for a covered bus shelter. This gesture, combined with relocating the trash room off of the main elevation and replacing it with a resident common space (or other more active use) would significantly improve the engagement of the building with the public realm.

  An increased setback would also provide additional space for improving the Mass Avenue streetscape. Currently, the sidewalk runs immediately adjacent to the road, articulated only by utility poles and street signage. While the existing overhead services would likely interfere with street trees located in tree grates or a landscaping strip immediately on the street edge, pushing the building further back would allow for larger canopy trees to be planted in the patio spaces and any proposed landscape zones (current landscape plans appear to show trees planted within 8 to 10 feet from the building footprint). Protruding bays on the upper levels above further restrict the potential for significant tree canopies.

As currently conceived, cars exiting the parking structure would likely have to encroach on the sidewalk in order to safely negotiate the parking, bus, and bike lanes. This situation is worsened by the placement of a bike rack within the site line on the east side of the driveway. Even if the entire building were not moved towards the north, the area of the façade associated with the entry drive could be recessed that could alleviate practical issues, but also diminish the prominence of the garage door in the building's primary façade.

Finally, an increased setback from Mass Avenue would help to mitigate the scale of the building as perceived from the public realm. As a frame of reference, the proposed building footprint is closer to the street than the both of the immediate neighbors to the east and west, with bays above that bring it even further towards the street. The four-story sections of the building's façade appear to be almost double the height of the masonry façade on the hip-roof neighbor to the west (see the Street Elevation included in the submitted materials). Reinforcing a setback datum similar to the majority of buildings on the block would help to tie in the structure, even though its scale is significantly larger than most.

Second level Courtyard

- The courtyard space is very similar to this development team's building on North Avenue in Wakefield. Analysis of this area would be facilitated with a detailed landscape and lighting plan, which do not appear to be included in the submitted materials of the space. Potential concerns could include maintaining privacy for the units that are on the patio level, as well as noise and privacy concerns of the neighbor to the east.
- The courtyard is east facing, which will provide good lighting in the morning hours, but most of the space will be significantly impacted by shadow for much of the year. A shadow study, which reportedly is underway, will help to quantify this concern.

Roof decks

- Architect should confirm that both decks are fully accessible, and that sufficient egress is provided.

c. Use and treatment of natural resources.

While not indicated in the site preparation or site demolition plan, it appears that the entire site will have to be cleared in order to construct the building. Strategies for protection of landscaping and structures on adjacent sites should be provided by the Applicant. Stormwater management and protection of Mill Brook are discussed in reports by other peer reviewers.

d. Building design, setbacks, massing and scale in relationship to the surrounding context and topography.

As noted above, this building shares similarities with the development team's project in Wakefield. Both are five story, podium type structures, with projected bays to break up the massing on floors two through four, and selective areas where the fifth floor is stepped back to help mitigate the building height. The Wakefield structure steps back the top floor to help its scale relationship to smaller scale residences across the street on the north side and to diminish shadow impact. The main elevation on North Avenue is also stepped back on the top floor, also for scale mitigation, but also to help the overall proportions of the building. While it is taller than all of the neighboring and nearby buildings (and sits very close to the street), the significant space around the building on all sides lends legitimacy to its scale and massing.

This is not the case at the proposed 1021-1025 Mass Ave. building where there is a more intact streetscape of residences of various types and scale, mixed in with small-scale commercial uses. Perhaps most importantly, this site has immediate abutters, along with other nearby existing buildings that provide a frame of reference for the project design. While Massachusetts Avenue is clearly an appropriate corridor for increased density, this should not relieve proposed developments from incorporating mitigation strategies that help a larger-scale building fit into the neighborhood. There is nearby evidence of larger structures that have not succeeded in strengthening the streetscape, and most likely would not be approvable in 2023.

Specifically, in addition to the increased setback that will help to mitigate scale and increase the functionality of the front yard space, there are opportunities to re-distribute the massing of the building in a way that diminishes negative impact on the abutters and creates a more coherent streetwall. Reduction of the height of the building on both the east and west elevations, at least back as far as the rear of the adjacent structures would make a significant difference, and would also allow more direct sunlight into the courtyard area of the building. If maintaining the existing overall volume of the building is essential, volume could be relocated to the northern most leg of the building parallel to Mass Avenue, where impact on neighbors and visibility from Mass Avenue are minimized. Shadow studies will be of great value in analyzing the effectiveness of modifications to the massing.

In brief, this reviewer believes that the proposed massing should be better "sculpted" to fit into the existing context, and as importantly, set a good precedent for future development along this corridor. While there is good use of relatively small-scale articulation provided by protruding bays, variations in cornice line, etc. ion the current design…..all elements that are positive…..the overall bulk of the building, combined with the strongly symmetrical façade treatment, create a sense of monumentality where neighborhood fit may be more appropriate.

Relative to the planning of the building (versus massing), the entry level includes 1700 SF of commercial space that will help activate the façade and create a potential community benefit. On the other hand, the remaining 2/3 of the Mass Avenue elevation beyond the resident entry to the west are dedicated to a trash room and the parking garage. As noted above, consideration should be given to relocating the trash room off of the façade, perhaps locating a resident lounge (or some other active space) in its place. Other reviewers have suggested a reduction in parking spaces in order to be able to create a second commercial space. If maintaining parking count is critical, a stacking system could be incorporated to open up more floor space for active uses.

Generally, locating garage doors on primary elevations does not improve a building's engagement with the pedestrian realm, and typically detracts from building aesthetics. Because the proposed building is very tightly fit on the site east to west, there is no opportunity for entering the garage from the west elevation. There is also no on-site space provided for deliveries, loading, etc. that could be accommodated with an increased side setback. These options should be studied.

e. Viewsheds of the project visible from the public street, public areas and from the vantage of nearby residential neighborhoods.

This is discussed in previous sections. It is this reviewer's hope that the 3-D model can be provided by the Applicant which would facilitate review from all important vantage points by this reviewer, the ZBA, and the public. It is also the most effective tool for studying variations in massing that can help mitigate negative impacts of the structure.

There are two rendered perspective views included in the submitted materials that are useful. Additional birds-eye view renderings, perhaps dropped into Google Earth views from different directions would also help understand "the fit" with nearby context.

f. Pedestrian and vehicular access and circulation, adequacy of accessible provisions. Of particular interest are the implications of access and egress in terms of pedestrians, bicyclists and motorists. Adequacy of parking.

Current plans indicate interior, basement storage space for resident bicycles. A bike rack for visitors in indicated adjacent to the entry drive (which may interfere with the cone of vision for cars exiting the parking garage). Generally speaking, whenever possible, it is preferable for resident bike storage to be located on the entry level of the building. If storage in the basement is the only option, consideration should be given to increasing the size of one of the elevators….and fortifying the cab finish….to encourage more resident use of their bikes for every-day use.

The bike storage area should include a bike repair stand, and potentially an area for washing bikes.

As briefly noted above, consideration should be given to advantages that may be afforded by a vehicle stacking system. In all likelihood, in order to not increase the building height, a pit-type stacking system would be the preferable approach.

g. Integration of building and site, including but not limited to preservation of existing tree cover, if any.
As noted above, as it is not likely that any trees within the project site can be saved, protection of trees on the neighbors site, as well as the provision and maintenance of robust new landscaping is very important.

h. Exterior materials.
Generic information regarding façade materials as noted on the building elevations at this point seems reasonable and consistent with many buildings of this type. However, note that there are significant differences in the quality of various types of fiber cement products. Given the scale of the building and its prominence from the public realm, the Applicant should provide additional materials with detailed information regarding their intentions.

The use of areas of brick as shown could be an effective way of referencing existing context, however, the color of those areas as depicted on the renderings may not be the best choice for that purpose. Also, similar to the issue of range of quality of cementitious siding, more information regarding the proposed "thin brick" would be useful in assessing the long-term maintainability of that product.

There does not appear to be any information on the building elevations regarding window materials. Also, there is no indication at the garage level of any ventilation provisions. Will it be "naturally" ventilated (in which case, areas with open grates need to be shown), or if fully mechanically ventilated, is there any equipment mounted on the exterior of the building. Is there any façade-mounted equipment associated with the commercial space that should appear on the elevations?

There is a gas service shown in the utility plan. Are there exterior-mounted gas meters that need to be indicated on the building elevations?

i. Energy efficiency.
The developer has committed to providing a narrative that will outline their proposed approach to energy efficiency. Note that new energy code requirements are significantly more impactful that previous editions, particularly in communities that have opted in to the Stretch Code and are planning to adopt the Specialized new code. Analysis of applicable codes should be included in a preliminary building code analysis.

j. Exterior lighting
Submitted materials include a lighting plan, but it does not include any lighting in the north yard or the courtyard. There is some spillover evident along the western façade of the building that should be addressed.

k. Proposed landscape elements, planting materials, and planting design.
As noted above, landscape plans are included in the submitted materials, but certain aspects of the plans need to be supplemented or corrected.

l. Feasibility of incorporating environmental and energy performance standards in the design, construction and operation of the building.
To date, there is no indication that expresses the developer's desire to design and construct to a third-party-verifiable level (such as LEED, Passive House, Enterprise Green, etc.). New state Specialized code, if adopted by Arlington, would require Passive House Pre-certification.

m. Any other design-related considerations identified by me, ZBA, Town staff, working group, or the citizenry of Arlington.
- Is there suitable emergency access around the exterior of the building?
- All site-related drawings should include locations of neighboring buildings.

- Any proposed ground-mounted mechanical equipment should be shown on site plans.
- Basement space and proposed uses may be large enough to require two means of egress (it is currently shown with only one stair).
- Will accommodations be made for resident storage and charging of electric bikes (storage in units is considered to be hazardous)?
- Common roof space on second level and roof area may require two means of egress.
- Is back-up power required by code (in particular, see requirements for accessible means of egress) or desired for resiliency, etc., and if so, where will the generator be located and what type of fuel will it use?
- The neighboring building to the east is very close to the property line and in line with the proposed basement for the new structure. How will the structural integrity of the neighbor's building be maintained during and after construction given the depth of the required excavation. Site sections that include the neighbor's basement, foundation, etc. should be provided for review.
- All units are required to conform with MAAB Group 1 requirements, and all common amenities must be fully accessible and connected by an accessible path.
- Has the project been reviewed by the Fire Department?
- A preliminary building code analysis should be provided.
- The graphic scales on all of the architectural plans are not correct. Revised plans should be provided.
- The single accessible bathroom across from the Tenant Gym on the entry level may not meet code requirements.
- Has the design team studied building footprint(s) that could preserve the large sycamore tree?
- Consider the provision of a more open main entry stair to encourage use (and create visual interest).
- Building is missing a sign band.
- Uplighting should be removed from the plans.

n. Techniques to mitigate visual and other impacts.

- Increase the setbacks and create step backs to address negative impact to the immediate abutters and improve the relationship to the public realm (see multiple comments above).

6. Participate in a minimum of one follow-up meeting with Town Staff to discuss the hearing presentation. Potentially attend meeting(s) with municipal staff and the development team ("working sessions"), most likely by Zoom, to address the ZBA's charge(s) to the developer. (TBD)

7. Provide a written report(s) and oral presentation(s) to the ZBA on the Applicant's submission(s) prior to the close of the public hearing that addresses, at a minimum, the aspects of the development identified in number 5 above. Said report and oral presentation(s) shall also include recommendations relative to design-related conditions to be incorporated in a potential approval of the Comprehensive Permit, including but not limited to modifying specific aspects of the site and building design in order to improve the overall development and its relationship to its surroundings and to mitigate potential negative impacts. (TBD)

Thanks for the opportunity to work with you on the analysis of this project. I hope you will contact me with any questions or concerns about this preliminary report.

Sincerely,

Clifford Boehmer, AIA

From: Xavid <xavid@xavid.us>
To: zba@town.arlington.ma.us
Date: Fri, 30 Dec 2022 19:59:27 -0500
Subject: Support for 1021-25 Mass Ave

Hello,

I just wanted to write to the Zoning Board of Appeals in favor of the
proposed 40B development at 1021-25 Mass Ave. As someone who lives
near the project site and a Town Meeting Member from Precinct 17, I
think this is an excellent proposal for additional housing, including
Affordable housing, with strong access to public transit and the bike
path and in a walkable area. Constructing more, denser housing in such
areas is important to address our housing crisis and to address
climate change, and so I encourage the ZBA to work with the developer
to make this project possible and avoid anything that would reduce the
number of units in the development.

I do want to mention several factors relevant to this particular
proposal. The biggest one is flooding: as the project is near Mill
Brook in an area that floods frequently, it's important to make sure
that all flooding impact from this project is properly accounted for
and that this will have no negative impact on nearby residents in

flood conditions.

Secondly, I recall that the project was originally slated to include
uplighting that would normally be disallowed. I think there are good
reasons for Arlington's lighting regulations, and it doesn't seem like
an absence of uplighting would negatively affect this project's
viability, so it seems like this project should conform to the normal
regulations regarding uplighting.

Lastly, while I understand and respect the concerns of some residents
regarding the removal of a mature tree, the reality is that not
building dense housing in places like Arlington results in more trees
getting cut down further away from the city and more negative
environmental impacts in terms of increased car usage and less
energy-efficient home styles. Thus, while I wish that the tree didn't
have to be removed, it seems to me the benefit strongly outweighs the
costs and that the developer can ensure that the plantings as part of
this project will over time recover the ecological value lost here.

Thank you for your time and your service to the town,
~Xavid Pretzer
Precinct 17

From: Matt Maggiore <matt@maggiore.co>
To: Christian Klein <CKlein@town.arlington.ma.us>
Cc: Zoning Board of Appeals <ZBA@town.arlington.ma.us>, "CBoehmer@davissquare.com" <CBoehmer@davissquare.com>, Paul Maggiore <paul@maggiore.co>, "cmulhern@hmarchitects.com" <cmulhern@hmarchitects.com>, "PFeldman@DavisMalm.com" <pfeldman@davismalm.com>
Date: Tue, 3 Jan 2023 22:04:53 +0000
Subject: RE: 1021-1025 Mass Ave - Request for Materials

Good Afternoon Christian,

Happy New Year!

Here is an update on the additional material requests from Cliff Boehmer.

1. Roof plan is roughed and being tweaked now and should be complete tomorrow.
2. Building elevations are being updated to reflect roof top equipment layouts
3. Renderings will be coordinated with building elevations in our newest submission.
4. Entry level plan is being modified to reflect the items requested by Davis Square.
5. Shadow studies are complete and will be included in our newest submission
6. Access to model. It is not our practice or preference to give full access to any of our modeling. This is intellectual property that we are not comfortable sharing beyond the walls of the design and development team. We will, however, provide renderings and views from several different perspectives that will give Davis Square a full picture of the project for massing purposes.
7. Trash management plan is being prepared, although we don't quite know how this is pertinent to architecture.
8. Construction management plan is complete and will be included in our newest submission
9. Building code review is being prepared and will be included in our newest submission
10. Tree preservation plan. There are few trees being preserved, however, Davis Square has a full landscape design depicting the proposed robust new planting program.
11. Energy systems and efficiency. This requires an almost complete design of the project from an envelope, mechanical and electrical standpoint, which frankly is a tall order for a project that is not yet approved. We are working on a narrative that will address our intentions with respect to the above items and trust that it will be satisfactory to Davis Square.

We are working diligently with Chris Mulhern and his team on the above items with the goal of turning a new package around, however, we really need initial comments from Davis Square on the architectural submission as filed, so that we can be working in an efficient manner and not duplicating our efforts.

Please also confirm that we will be receiving comments from the peer review consultants on or before January 6 as discussed, so that we can prepare for the meeting on January 12.

Kind Regards,

Matt

—

Matthew P. Maggiore
President

O 781.935.6100 **M** 781.718.2005
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Clifford J. Boehmer, AIA
Ross A. Speer, AIA
Iric L. Rex, AIA

MEMORANDUM

DATE:	12.20.2022		
FROM:	Cliff Boehmer		
TO:	Claire Ricker; Christian Klein		
CC:			
RE:	Request for additional project materials	PAGES:	1
PROJECT:	1021-1025 Massachusetts Avenue	PROJECT No.:	DSA 2023004.00

Clair and Christian:

I have looked through the postings on the Town website that have come from the Applicant, various Town Departments and consultants, as well as comments from the general public. As we discussed on our phone call last Thursday, Dec. 15, I am now providing you with a list of additional exhibits that I believe would facilitate a more thorough review of the proposed development at 1021-1025 Massachusetts Avenue. I apologize in advance if some of these have already been submitted and posted and I didn't see them.

As the reproject review process moves forward, there will undoubtedly be other materials that the ZBA, the Town, and the Public may need to see in order to better understand the project, but for now, here is my first pass:

- Provide a roof plan, including mechanical equipment, any required screening, solar arrays, etc.
- Modify building elevations so that include all rooftop equipment, penthouses, elevator overruns, etc.
- Coordinate renderings with building elevations (in particular, note differences in siding patterns depicted in elevations vs. renderings).
- Provide entry level plan that includes parking space and aisle dimensions, projected building column locations, designation of accessible spaces, designations of EV spaces, garage door width, etc.
- Provide shadow studies.
- Give peer reviewer(s) access to 3-D model to facilitate additional views of the project from the public realm and neighbors.
- Provide a trash management plan, preliminary construction management plan (CMP), preliminary building code review, tree preservation plan (including any details regarding impact of the development on trees on neighboring sites),
- Provide information regarding energy systems and efficiency (see CEFC comments).